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SOUTHEAST MICHIGAN DISTRICT HEADQUARTERS
Waste Management Division
38980 Seven Mile Road
Livonia, Michigan 48152

June 7, 1993

EPA Region 5 Records Ctr.



208040

Robert Weed
Durako Paint Company
288 East Maple Rd.
Suite #119
Birmingham, Michigan 48009

RE: Durako Paint Company, MID005326673

Dear Mr. Weed:

On May 27, 1993, staff of the Michigan Department of Natural Resources (MDNR) conducted an inspection of your facility located at 6315 E. Seven Mile Detroit, Michigan, to evaluate compliance of that facility with the Michigan Hazardous Waste Management Act, public act 64 of 1979, as amended, MCL 299.501 et seq (Act 64) and Subtitle C of the Federal Resource Conservation and Recovery Act (RCRA), as amended, and any regulations promulgated pursuant to these Acts. Portions of the Act 64 and RCRA requirements that were reviewed during the inspection.

As a result of the inspection, staff of the MDNR have determined that the above facility is in violation of Act 64 and Subtitle C of RCRA. Specifically, staff found that the following requirements were not being met:

1. The floor was wet and had puddles of liquid everywhere. You indicated it might have been as a result of some broken pipes. You must clean up and dispose this wastewater properly making sure nothing goes down the sewer until you have obtained an approval from the Detroit Wastewater Treatment Plant.
2. 40 CFR 261.33. and 40 CFR 261.2(d)(4). By not using through recycling or gradual reuse, 75% of the total accumulated useable goods in a calendar year. The drums in your facility must be disposed of in the proper way. You cannot accumulate these drums indefinitely.
3. Some of the containers in the yard were dented, rusty and left open to accumulate water. They are in violation of 40 CFR 265.171 and Act 245. You are hereby required to clean up the backyard, remove the empty drums and dispose of the waste properly.

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R. Weed, MID005326673

- b. The soil in the backyard had been discolored by an unknown substance. You must make sure the backyard is cleaned up and all the discolored soil and dirt are removed and disposed properly.
4. There were over 500 containers of what you called paint products: some were open containers, dented, rusty and in violation of 40 CFR 265.171. You are hereby requested to analyze their content as required in Rule 302: 40 CFR 262.11 and dispose of them appropriately. You must send with your response, all records of analysis and the disposition of these waste.


You must respond to this letter by June 30, 1993 providing documentation to this office regarding those actions taken to correct the above stated violations. The MDNR will evaluate your response and determine your facility's compliance status and notify you of this determination.

This Letter of Warning does not preclude nor limit the MDNR's ability to initiate any other enforcement action, under state or federal law, as deemed appropriate.

Attached, for your information, is a handout explaining the Pollution Incident Prevention Plan required for certain facilities in the State of Michigan under the Michigan Water Resources Commission, Public Act 245 of 1929, and a short informational sheet on waste minimization.

If you have any questions feel free to contact me.

Sincerely,


Donald Mbamah
Environmental Quality Analyst
Waste Management Division
313-953-1407

DM/dm
Enclosures
cc: B. Okwumabua